



Mr. Kenney McKenney
12
Aug. 2, 1867

TO THE PUBLIC.

I proceed now to redeem the pledge given by me in my note, as published in the NATIONAL INTELLIGENCER of the 16th instant, "to falsify every tittle of the assumed facts, as far as these are designed by the Editor of a certain paper of this City to operate injuriously upon me, and upon the late Secretary of War; together with all the inferences attempted to be drawn, and forced upon the public mind, from such assumptions."

I find, on a cursory glance at the subject which relates, as the reader will recollect, to an account of mine for expenditures made on account of, and for services rendered to the United States, that but little is left for me to do. I am relieved, most agreeably, from the necessity of preparing my own defence—that has been done for me by abler hands; and by distinguished citizens, chiefly members of Congress, of both political parties.

The first paper to which I respectfully invite the attention of the Public, is the following, from the report of the minority of the Committee on Retrenchment.*

"Some objections have been taken to the allowances made to Mr. McKenney, the Chief Clerk in the Indian Bureau, for his services during the past year, at Green Bay, and on his tour among the southwestern Indians. Before entering on the explanation of this matter, the minority of the committee will observe, that Mr. McKenney's pay, as a Clerk, is fixed at 1,600 dollars. When the present organization of that Bureau was effected, by the late Secretary of War, the minority of the committee understand that Mr. McKenney was prevailed on, at the instances of Mr. Calhoun, to accept the place he now fills, with the admission, that the salary was inadequate to the labors of the place and to his qualifications, and with assurances that no proper effort should be spared to procure an increase of his compensation by law. At the first session of the nineteenth Congress, a bill for this purpose was reported to the House, by Hon. John Cocke, Chairman of the Committee of Indian Affairs, and the same bill ^{has} been reported, from the same committee, at the present session. The minority of the committee consider these facts as evincing the opinion of competent judges that the department of Indian Affairs requires a more efficient and responsible organization, and that the individual at present at the head of it has, by the same judges, been considered a meritorious and valuable public officer.

* John Sergeant, of Philadelphia, and Edward Everett, of Massachusetts.

"Such unquestionably was the opinion entertained of him, when, at the commencement of the last year, the Secretary of War was solicited by several members of Congress to send him on a tour of inquiry among the southwestern Indians. Their letter to the Secretary, preferring this request, is in the following terms :

"CITY OF WASHINGTON, 25th January, 1827.

"SIR : We beg leave to state that, in our opinion, much good would result to the various Indian tribes within our jurisdiction, and the humane objects of the Government be greatly promoted, by sending some intelligent individual to visit those tribes, upon whom it is deemed most important to make a favorable impression, as to their settlement west of the Mississippi.

"Col. McKenney is not only fully possessed with the views of the Government, but, in our opinion, he possesses more of the confidence of the Indians, than any other person in the United States, who could so easily be employed for this desirable object. He has perhaps, likewise, equal, if not a superior knowledge of the Indian character and disposition, to that of any person who would be likely to undertake this work. We would, therefore, suggest the propriety and expediency of directing him, under proper instructions, to visit the Chickasaws, Choctaws, and other southern tribes, after he has completed his work at the North with Gov. Cass, this coming Summer. The seat of that operation will be at Green Bay, we understand : from which point it would be easy and convenient for him to pass through the Western States, to the Southwestern tribes, and visit most, if not all of them, previous to the next session of Congress.

"There is a peculiar propriety in devolving this duty upon the person who is at the head of the bureau of Indian Affairs, and if he should fail in making as deep and favorable an impression in a first visit as may be anticipated or desired ; yet the information which he would acquire and bring back to the Government, of the condition, feelings, and disposition of those tribes, would be, in our opinion, exceedingly valuable : and the good resulting from such a tour, in this respect, would be worth the trouble and little expense attending such a work. With these impressions we recommend that such information be obtained, as to what are the real views and feelings of those tribes ; and we respectfully recommend that Col. McKenney be employed to ascertain and report them, and to execute such other trust as you may deem it proper to confide to him. With great respect, &c.

RH. M. JOHNSON,
THOS. B. REED,
W. H. HARRISON,
WILLIAM HENDRICKS,
H. W. CONWAY,
J. S. JOHNSTON,
H. W. EDWARDS,
E. F. CHAMBERS,
T. P. MOORE,
WM. McLEAN,
WM. HAILE,
JOS. M. WHITE.

"To the SECRETARY OF WAR."

“With the foregoing requests, the Secretary of War complied; and for the same reasons which led to the recommendation of Mr. McKenney for the tour among the South Western Indians, he was also associated by the Secretary, with Governor Cass, to negotiate the treaties at Green Bay. For this latter service, Mr. McKenney received the same compensation as Governor Cass, with whom he was associated. He did not, (as has been erroneously supposed,) settle his own account, for this service; it was settled by Governor Cass, and by Mr. Schoolcraft, as the minority of the Committee have reason to think, without any interference on the part of Mr. McKenney. On this head, the following copy of a letter from Governor Cass to Mr. McKenney, is referred to.

“ALBANY, *April 19th*, 1828.

“DEAR SIR: I have mislaid your letter, and cannot therefore answer your inquiries as specifically, as I otherwise would do. Your compensation at the Fond du Lac treaty was calculated by Mr. Schoolcraft and myself, and that at Green Bay by me. You received no part of the appropriation for either treaty, but the amount due to you for your services.

I am, dear sir, sincerely yours,

LEWIS CASS.”

“Col. McKENNEY.”

“The above is a true copy.

D. KURTZ.”

“The employment of an officer of the Government, on a commission of this kind, is sanctioned by long established usage, and grows out of the necessity of the case; inasmuch as those persons only, in general, who have been officially connected with the Indians, possess that familiarity with their character and manners, which is required by successful negotiation with them. On this principle, officers of the army, Governors of Territories, and Indian Agents, have been usually designated for these services; and the minority of the Committee regard the selection of Mr. McKenney, as fully justified by the knowledge he is known to possess of the Indian character, and the confidence which the Indians are supposed to place in him.

“On the conclusion of his labors at Green Bay, Mr. McKenney entered upon the discharge of the duties of his special mission, to the Southwestern tribes, taking the route of the Fox, Ouisconsin, and Mississippi rivers. His duties on this mission, as prescribed by his instructions of 28th March, 1828, were those of obtaining local and other information of the country, between the lakes and the Mississippi; the condition and disposition of the Indian tribes, which are scattered over it; and especially to ascertain the disposition of the tribes, within the States, the Chickasaws, the Choctaws, and if practicable, the Cherokees, on the subject of emigration to lands west of the Mississippi.”

He was directed to note down “whatever incidents” he might “esteem to be valuable, and that in any manner may be connected with the subject

of our Indian relations, and that may tend to enlighten the Department in matters pertaining to their judicious disposition and application.

"He was also directed to visit the Indian "agencies, and such Indian schools as might be within" his "reach, and inform" himself "of their condition and prospects, and generally to collect such information as may be necessary to a prompt and efficient discharge of the duties arising out of our Indian relations.

"By subsequent instructions, of 10th April, 1828, Mr. McKenney was directed, if possible, to return through the Creek country, to employ all proper means, in his discretion, to procure of the Creeks a cession of the remaining portion of lands, in the State of Georgia, unceded in the treaty of Washington. In his first letter of instructions, Col. McKenney was informed that his "compensation" would "be paid on his return, and made equivalent to the extent and value of" his "services."

"It appears from documents that have been submitted to the House of Representatives, at the present session, that in the great object of closing the Creek controversy, Mr. McKenney was successful; a service which, on any equitable estimate of its "extent and value," the minority of the committee cannot but deem to be meritorious to a degree far beyond the whole amount paid to Mr. McKenney, or claimed by him, as compensation. The other objects of his mission, of a less specific nature, were also performed with success. In the discharge of these interesting and confidential duties, Mr. McKenney performed a journey of four thousand miles, much of it through a wilderness, and among Indian tribes, exposed to great hardships, and occasionally to peril. These considerations united to authorize the allowance of a liberal compensation, on the principle announced to him in his instructions, that it should be fixed on his return, "and made equivalent to the extent and value of his services."

"On his departure from Washington, he received \$1,750, as an advance, towards defraying the expenses of his expedition. At the close of his commission at Green Bay, his accounts were made up by Governor Cass and Mr. Schoolcraft, and he was allowed and paid the same rate of compensation which was paid to his associate Governor Cass, viz. 8 dollars per diem, while employed on duty, and 8 dollars per 20 miles travel. The whole amount paid him, for his services as Commissioner, was 1,880 dollars. In the course of his expedition to the Southwestern Indians, he drew on the Department of War for 1,100 dollars, and claimed on his return, a balance due of 1,344 dollars. The payment of this balance was suspended by the Second Comptroller, on the ground that the expenditure on the southern tour was partly unvouched, and that the sum of 660 dollars was allowed Mr. McKenney, on the statement of his account at Green Bay, for mileage back to Washington. Mr. McKenney did not return directly to Washington, and it was stated by the Second Comptroller, in his evidence before the Committee, that he charged his travel homeward, in the subsequent account of his southwestern tour. The minority of the Committee do not find that, strictly speaking, Mr. McKenney charged "mileage" at all, on his second

tour; that is, he made no charge on the principle of a certain allowance for a certain number of miles travelled; and, in the estimate of travelling expenses, on that tour, the sum of 660 dollars, already received as return mileage, was taken into consideration, and deducted from what might otherwise have been claimed under that head. If, therefore, the 660 dollars, paid at Green Bay, be now recharged to him, he is equitably entitled to that additional allowance, for travelling expenses on the Southwestern tour.

"In regard to the want of vouchers, for a portion of the expenditure on the expedition to the southwest, the minority of the Committee conceive that it may partly be accounted for by the nature of the service. In many cases, no other voucher than the marks of Indians could, in the nature of the case, have been had, and such vouchers would be of no value. The expense of travelling, if estimated on the mileage principle, at 8 dollars per 20 miles, would have amounted to \$1,632. Of this, no voucher could be had of the nature of the bills furnished at public houses, in the civilized parts of the country; and perhaps the notoriety of the fact that the journey was performed, and its objects accomplished, may be regarded as a sufficient voucher for its expense, within the limits of the usual allowance. A sum of something over 2,000 dollars is represented by Mr. McKenney to have been given as presents to Indians. Their receipts would of course have been of no value as vouchers, and the minority of the Committee have reason to think, that it has always been found necessary, in treating with the Indians, to accept the certificate of the person employed, as a sufficient voucher for expenditure of this kind.

"The absence of vouchers, of course, made the settlement of Mr. McKenney's account a matter for the exercise of the discretion of the Department; the rather, as his compensation was originally stipulated to be an equivalent to the nature and extent of his services; of which the head of the Department was the responsible judge. In the exercise of this discretion, the Secretary at War granted his requisition in favor of Mr. McKenney, to the amount of \$1,344. By the statement of the expenses of his journey, and of presents to Indians, partly sustained by vouchers, and partly resting on estimate, which the minority of the committee see no reason to distrust, it would appear that a part only of this sum of \$1,344 would remain to Mr. McKenney, as the compensation for his services, over and above the defraying of his expenses on his tour. When the nature of the trust is considered, or even the importance of the single object of settling the Creek controversy is taken into view, in connexion with the encouragement which Mr. McKenney has had in the reports of committees of Congress, of an increased compensation; and also the contract in the present instance, that his allowance should be proportioned to the nature and extent of his services, (of which the head of the Department must be the judge;) the minority of the committee are not disposed to accuse the Secretary of War of undue facility in admitting the claim for a balance, which, if paid, would leave Mr. McKenney about twelve hundred dollars of nett compensation for his services. Had his accounts been originally made out on the mileage principle, they be-

lieve the balance due him would have been more than he claimed. In exercising his discretion, and in issuing his requisition in favour of Mr. McKenney, for the balance claimed, the Secretary of War did no more than was his duty to do, if he believed the services to have been faithfully performed. To insist on the principle, that no expense should be allowed without specific vouchers, would be to destroy all confidential service, and to throw on innocent persons the greatset inconvenience and risk, in the discharge of many highly important functions. It is believed that the records of the Department, under every administration, and particularly in the conduct of the Indian Affairs, furnish instances of the settlement of accounts, believed to be honest and just, by the head of the Department, and on the best evidence which the nature of the case admits."

This paper, alone, might be relied upon to satisfy every unprejudiced and honorable mind of the great injustice which has been attempted to be done me. But I proceed to offer the following Notes.—The first contains the opinion of several members of Congress, (among them the Chairman of the Committee on Indian Affairs of the House of Representatives,) on the subject of *this same account*; the second is a note from the Hon J. C. Mitchell, of Tennessee, to the Hon. Mr. Lumpkin, of Georgia, on the same subject.

(COPY.)

" WASHINGTON 24th May, 1828.

" We, the subscribers, are of opinion that the accounts of Colonel McKenney for his services on a tour among the Southwestern tribes of Indians during the last summer, *ought to be allowed*. We believe the allowance claimed by him to be reasonable, and within the stipulation made to him by the Secretary, that his compensation should be ascertained on his return, and be made equivalent to the nature and extent of his Services: and we are farther of the opinion, that the objection taken by the Second Comptroller to the item for presents to Indians, (which objection is, that the same is unvouched,) might be properly waived, *in conformity with usage in relation to similar charges*, and the manifest difficulty, if not impossibility, of procuring vouchers for small gratuities to Indians.

WILSON LUMPKIN, of Georgia,
EDWARD EVERETT,
JOS. M. WHITE,
WM. McLEAN, [Chairman of the
Committee on Indian Affairs.]
DUTEE J. PEARCE,
JNO. BARNEY,
J. C. MITCHELL,
SAMUEL P. CARSON.

" I certify that the foregoing is a true copy from the original.

H. MILLER."

17th July, 1828.

(COPY.)

"HOUSE OF REPRESENTATIVES, May 24th, 1828.

"SIR: I have been informed that Mr. Cutts has refused to allow some items in the account of Col. T. L. McKenney because he has not produced the vouchers of the Indians of their correctness.--I have been long and [well] acquainted [with] the Indians, and have done much business amongst them; and, before this time, I have never heard of such vouchers as I understand is required by Mr. Cutts. And it would be a dangerous principle to establish, to allow accounts upon Indian vouchers, as it would be an easy matter for any man to procure as many vouchers as he might please. I have looked into Col. McKenney's accounts, and do not recollect of any charge which should not be allowed.

Yours, respectfully,

J. C. MITCHELL.

Hon. Mr. W. LUMPKIN."

"I certify that the foregoing is a true copy from the original.

H. MILLER.

17th July, 1828."

Considerations of personal justice to myself, besides *the direct* bearing which they have upon the subject of my account, particularly the first, must be my apology for submitting the following extracts from two letters:--the first from the late Secretary of War, to the Secretary of the Navy, whilst acting Secretary of War; the second, from the Hon. J. M. White, of the House of Representatives, of Florida, to the present Secretary of War.

Extract of a letter from the Hon. James Barbour, to the Hon. Mr. Southard, dated Washington, May 31, 1828.

"SIR: Just as I am about to leave this place I am informed that Colonel McKenney's account is unsettled, and I learn that it is your wish that I state my views on the subject. The story from the beginning to the end, is a tedious one. The view taken of this subject by the minority, (of the entrenchment committee,) I believe to be a correct one. The fact is, that in giving Colonel McKenney extra employment in '26 and '27, I was influenced by his ~~fact~~ *fact* for the ~~management~~ *management* of the ~~Indians~~ *Indians*, by his want of health, and by the penury of his compensation. He is *entitled to*, (and he says was promised by Mr Cilhoun,*) the compensation allowed to auditors. I say *entitled*, that is his services and responsibility are equal to an auditors. In addition to these motives, a respectable number of members of both houses of Congress, prayed that he might be employed in visiting the southern Indians and imparting, if possible, a friendly impulse to their tribes to emigrate. To which I superadded the negotiation with the Greeks. The account of Colonel McKenney, (now the subject of discussion,) had its origin in this undefined service. By contract, his compensation was to be

suspended till his return, and to depend on the extent and success of his mission. He advised me from time to time of his progress, and eventually of having settled the long and most unpleasant controversy with Georgia, by having obtained from the Creeks, the relinquishment of the bone of contention. On his return, (after an absence of many months,) he presented his claim for compensation. Instead of special items, he presented a consolidated demand of, I think, \$ 5,000, (which was to embrace all his expenditures and include his pay,) made up of a great variety of items, but no specification of the expense of each, and at this point commenced the difficulty in adjusting Colonel McKenney's accounts. It is obvious that in all other instances, both specification and vouchers are necessary. In our Indian relations from necessity, they are sometimes not required. In short, it is secret service money. Still however, had it here been practicable, an account should have been kept of the expenses and of presents separately. It had however not been done. I had the assurance of Colonel McKenney, that so much money had been expended; for much of which, drafts were out, and that from the nature of the service, vouchers could not be procured. An Indian's mark would be worse than nothing. The money had been expended if Col. McKenney was entitled to confidence; *that I could not doubt*—the very service implied it; his continuance in office a day after a suspicion of gross infidelity would have been improper; the only question left was, *is the sum a reasonable one*; two important tribes had been successfully acted upon, a treaty (*for which thousands would have been cheerfully given,*) had been obtained; and indeed thousands had been expended, in vain, on the Choctaws and Chickasaws, but the year before, to effect what Col. McKenney accomplished.

"Confiding, then, in the truth, and in the *reasonableness* of the alleged expenditures, and warranted by the *precedents* of the *service*, I passed those items, and also one for his personal compensation. In fixing this, as furnishing, I thought, a proper guide, I adopted the allowance to Commissioners. The account having been passed to the office of the Second Auditor, made its way to the Second Comptroller. He, *with precedent on precedent before him, established by himself and my predecessor*, refused to pass the account. It was obvious that he had other objections than the form of the account, or the absence of vouchers. At one time, Mc. had suppressed the accounts of Cass, in which he was concerned; at another, that he was a debtor on the books of the Treasury, &c. &c. Finally, Mr. Cutts came to me to say that McKenney had at least received some six hundred dollars for his return from Green Bay, which should have been credited. I called on Mr. McKenney! supposing a mistake of that kind had happened, and if so, of course, should be corrected. He proceeded immediately to show, that so far from its being true that he had made too great an allowance for that payment; and by *accurate calculation*, aided by a clerk in the Auditors Office, he was entitled, *on the original basis of indemnity* to an increased sum, and urging that, as

*As reported in a letter to the Secretary of War, and published by Congress; and referred in the foregoing report of the Committee in Retrenchment.

he would have been curtailed had the estimate been against him, when found in his favor he was entitled to the result, and the more especially as some service had been omitted in the first estimate. I thought it but just to correct the mistake, and passed the account. Col. McKenney had rendered very important services through much trouble, and indeed some hazard. I thought him entitled to liberal compensation. I have not heard that it was disapproved of by any one who approves of any thing. As an act of justice to Col. McKenney, I must remark, that, during my continuance in office he has performed his duties with a zeal and an assiduity, and, I will add, with an ability, that were worthy of great praise. He inspired me with confidence, *by his every official act*; and, acting under its influence, I could not permit myself, for a moment, to question the fidelity with which he dispensed the small sums committed to his care. I write in great haste, on the eve of my departure, amid a crowd of visitors.

Yours truly,
(Signed) JAMES BARBOUR."

"The foregoing is a true copy,
D. KURTZ."

Extract of a letter from the Hon. J. M. White, to the Hon. P. B. Porter, Secretary of War.

—"Colonel McKenney, who has charge of that branch of the Department, is intimately acquainted with the subject, and can furnish any information that may be desired. I think he has accomplished more in a few months, for a small sum, than other Commissioners could have done with the Public Treasury at their disposal. I have had much intercourse with the Indian Office, and think that no man in this country has been so wantonly assailed. The Government never could have made any progress in their system of colonization without him."

"I certify that the foregoing is a true extract from the original.
D. KURTZ."

I believe I have nearly redeemed my pledge; and I have the high gratification of having done so, thus far, by the help of those whose names will live in the grateful recollections of the future, long after the agitations of the present moment shall have sunk to rest, and those who have occasioned them are forgotten.

Three things only, I believe, remain to be remarked upon. The first is, the charge of an attempt to "brow-beat the Comptroller into a settlement of my account, contrary to all usage and every principle of right."—The second is, that I was a "defaulter on the books of the Register for twenty odd hundred dollars."—The third is "wasting the public money."

In regard to the first, it has been shewn, as is the fact, and which, it is reasonable to presume, will be now no longer denied, that

my account was not contrary to either "*usage*" or "*right*." What may be *personal* between Mr. Cutts, the Second Comptroller, and myself, courtesy to the public will lead me to keep so:—besides, I have the additional inducement, in the known wishes of the Head of the Department, in which I am subordinate, on the same subject; and these it is proper for me to respect. I shall make no further reference, *for the present*, to the Second Comptroller, therefore, than may be necessary to a clear understanding of the subject.

That a difference exists between Mr. Cutts and myself, is most true. That, however, is a matter which does not concern the Public; but it would concern the Public if either Mr. Barbour, or myself, had attempted to "brow-beat the Comptroller into a settlement of accounts, contrary to all usage, and every principle of right."—But this happens *never to have been attempted*. It was the departure of the Second Comptroller from *his own precedents*, as has been abundantly proved by the foregoing documents, and from the "*usage*" of his *own office*; and his having taken up, and dropped objections; and assigned and withdrawn one set of reasons, and then giving others, which, *in so plain a case*, and "*with precedent on precedent before him*," led the Secretary of War to write him, either "to pass his office a warrant authorized by him [the Secretary] in my favor, or say to him, *in writing*, what were his objections to it." I will not fatigue the public by going further into this branch of the subject, except to state that the warrant had lain, unattended to, in Mr. Cutts's office, for many weeks, and that one of his reasons, in reply to this note from the Secretary, and when getting over the difficulty of reasons previously, and verbally, and otherwise assigned, one of which was that I was debtor in upwards of two thousand dollars, on the books of the Treasury, is in these words: "There are no charges, in the Second Auditor's books, against Mr. McKenney, except the seventeen hundred and fifty dollars advanced to him in April last, *for this plain reason*, that the accounts of Messrs. Schoolcraft and Forsyth, *which contain the advances made to him*, and from which *the charges ARE TO BE raised against him*, in the books of the Second Auditor, are *wanting*."—(Letter 8th Feb. 1828.) Again, same letter, "I am *entirely ignorant* of these accounts, (Messrs. Schoolcraft and Forsyth's,) the balance may be the one way or the other!" The reader will not only be surprised how the "charges" could be discerned in accounts which had not yet been seen, but the more

so to learn what the Secretary of War knew to be the fact, at the time, as well as myself, that there was not a *solitary cent*, more or less, charged against me, in either of those accounts, more than was my due as Commissioner, jointly with Governor Cass, and, *of course*, there were no "charges" that could be "raised against me" on those accounts, either on the books of the Second Auditor or any where else. My pay was charged on one side of these accounts, and my services as Commissioner credited on the other—*the one balancing the other*; and the letter of Governor Cass, as published in the first extract of this address, [the report of the minority of the Retrenchment Committee,] proves that I received *no more* on those occasions than I was entitled to for services rendered; and that too upon accounts not even stated by myself. The Commission under which I acted, and out of which the account in question grew, was wholly distinct from those under which I acted with Governor Cass as joint Commissioner,—*as were the accounts*.

Enough has been said to shew that the late Secretary of War moved not upon this case, *except* to have his warrant passed after many weeks' delay, for an allowance made for services rendered, and to fulfil thereby a contract which he himself had made, in behalf of the Government, and that without varying the mode, or infringing in the slightest degree upon either the "*usage*," or "*principles of right*," in such cases. The foregoing documents are relied upon to demonstrate this. There is as little "brow-beating" to be discerned here, as I am sure there was of intention on the part of the late Secretary of War to step aside from those courtesies which, during his whole life, have been so characteristic of the man of honor and the gentleman. My own notes to Mr. Cutts grew out of the unprecedented and varied reasons which he assigned for delaying to pass the warrant; and the new and singular positions assumed by him in his attempts at justification. But they were not written with any such view as has been attributed to them.

But I am charged with having been, at the time, a "defaulter on the books of the Register, in a sum exceeding two thousand dollars." This was one of the reasons assigned by Mr. Cutts for not passing the warrant in my favor. It appears, he applied, himself, at the Register's office—(I state it on the authority of the venerable Register)—and, on seeing a sum against my name, as Superintendent of Indian Trade, of upwards of two thousand dollars, procured a certificate to that effect. This certificate

was shown to many persons, as well in, as out of Congress, and assigned, as I have stated, as a reason why he could not pass the warrant in my favor. Rumor, at last, brought a knowledge of this proceeding to my ear. I did not believe it, and therefore paid no attention to it, knowing, as I did, that there could not be, correctly, a single cent to my debit. At last, and after, as I have reason to believe, the frequent exhibition of the certificate had done me much mischief, a distinguished Member of Congress waited on me, and calling my attention to the subject, and assuring me that Mr. Cutts had shown the certificate to him, and assigned it in justification of his course, I went first to Mr. Graham, Commissioner of the General Land Office, to whom the winding up of the Factory, or trade business had been assigned; who, on being told that such a certificate had been thus employed, expressed his surprise, and assured me that if such a charge were on the Register's books, it could have no application to me; and suggested to me to obtain a copy of the account on which it was based. I did so, and on showing it to him, he instantly understood it, and assured me, on the spot, that it had been an oversight in the Fifth Auditor; that he would see him, and have the credit given, by debiting a much larger sum that was then to my credit, and to which this debit was properly applicable.

The following note from the Fifth Auditor is given in proof:

"The charge on the Register's books against Mr. McKenney, (the charge referred to of twenty odd hundred dollars,) arising out of the settlement of Mr. Graham's factory account, will be merged in the balance heretofore suspended in the settlement of Mr. McKenney's account, so soon as other business will permit us to take up the subject."

How easy of explanation, and how perfectly within reach of Mr. Cutts, the 2d Comptroller, was this explanation, *had it been sought!*

Mr. Cutts was immediately informed of the nature of the entry, and of its total inapplicability to me, and yet a week afterwards, ~~the same certificate was shown to another member of Congress,~~ in justification of his continued delay to pass the warrant in my favor!!

I have been charged in reference to this account with "*wasting the public money.*" But what are *the facts* in the case? It has been seen upon whose request I had been sent on the mission out of which this account grew; and the objects of that mission have been explained. Nothing need be said further on those subjects. I shall briefly meet the charge of "*wasting the pub-*

lic money," while engaged in the execution of those trusts. Congress had but a short time before, appropriated \$ 30,000, to sustain negotiations with the Chickasaw and Choctaw tribes of Indians, having for their object an exchange of their country on this, for one on the West side of the Mississippi. The Executive put in requisition the services of three of our most experienced citizens of the West—namely, Gen. Clarke, (Lewis's fellow-traveller,) and General's Coffee and Hinds. These worthy citizens failed to accomplish any one of the objects proposed by them to the Indians.—One great object was to obtain the assent of the Indians to send deputations to examine the country, with a view to an exchange.—All failed.—In thus seeking to fulfil the views of Congress, about \$ 27,000 of the sum appropriated was expended; nor was there a cent of it "*wasted*"—It was all, as far as I have been able to discover, fairly and honestly expended in the effort to fulfil the object of their mission.

It was made part of my duty to go among those same people, and try over again, to accomplish the same ends. It was my good fortune to succeed, in so far as to obtain their consent to go and look for a country; and if one could be found agreeable to them, the Chickasaws entered into a convention with me to exchange. Had nothing more been accomplished, the case would have stood thus: Expended by the three Commissioners, \$ 27,000. Expended by me, supposing the whole sum—\$ 4,532—to have been applicable to this object, the difference in favor of economy, and against the charge of "*wasting the public money*," would be 22,468 dollars. But I was further enjoined to go among the Creeks, and seek to accomplish the settlement of the controversy with them, the nature and extent, and the deep excitement growing out of which, I need not here explain. It is known to the whole country. Here too, aided by Colonel Cromwell, it was also my good fortune to succeed. In this negotiation a saving was effected, as compared with the price which had been offered the Creeks, of about 150,000 dollars. To test further the charge of "*wasting the public money*," add the 27,000 expended in a trial with the Chickasaws and Choctaws, to this 150,000; and the sum will be 177,000 dollars; to say nothing of the quieting a question which had, as we all know, deeply agitated the country. From this sum deduct my account, (which, be it remembered, was for expenses from Green Bay, and over a distance of four thousand miles, including presents to the Indians, *and my own allowance*, (viz. \$ 4,532,) and the difference on the side of economy, and

against the charge of "*waste of the public money*," is *one hundred and seventy-two thousand four hundred and sixty-eight dollars*.

Nothing could have induced me to refer to this branch of the subject, but the obligation which I feel to rescue myself from the imputation of having "*wasted the public money*," and the Secretary of War from the charge of conniving at it. Whether I have succeeded, is left to the Public to decide.

One reference to the charge of having attempted to secure to myself double mileage. This charge has its origin in the *mistaken* testimony of Mr. Cutts before the Committee on Retrenchment; and in the following letter, founded equally in error, to the 2d Auditor.

"It appears from Robert A Forsyth's account, who acted as agent for paying the expense of holding an Indian Council at Green Bay in 1827, that Col. McKenney, one of the Commissioners, has received six hundred and sixty dollars for mileage from said place to Washington—a journey which was not performed—he having gone from Green Bay on another route, and charged his mileage in a subsequent account. You will please debit his account with the above sum of six hundred and sixty dollars.

RICHARD CUTTS."

This charge, like that of being "a defaulter," was left to work very serious evil against me, for several weeks before I knew it had been made. Rumor brought this also to me. On inquiring of the second Auditor, I found he had received such an order from the Second Comptroller. I asked for, and was furnished with a certified copy. I had been, just previously, asked by Mr. Barbour, in presence of Governor Cass, if I had allowed in my account a credit for that sum. To which, knowing that it was my *intention* to have done so, I replied I had. But I knew not his reason for asking me. It has been shown, by his letter, that Mr. Cutts had conveyed the charge to him.

On seeing the order to the Second Auditor, which was immediately after Mr. Barbour had questioned me, I obtained the aid of a scientific and experienced accountant, a Clerk in the Auditor's office, and the Clerk who had received, as was known to me, high and special testimonials from Mr. Calhoun, who had often spoken of his great value to me, to accompany me in a measurement of my route, and upon the map with which I had travelled, and in my calculations of mileage, &c. On a review of the whole, and making out the account, *upon the basis of my allowance*, and *charging myself in it* with the six hundred and sixty dollars received for my return mileage from Green Bay, so far from its being true that I had claimed, or the Secretary of War allowed,

double mileage—and this is the import of the charge, as contained in Mr. Cutts's note to the Second Auditor, as also in his testimony before the Committee on Retrenchment—a balance resulted in my favor, over and *above* that allowed me by the Secretary of War, in what is called the "*lumped account*," of four hundred and fifty-five dollars. I immediately made an exhibit of this account to Mr. Barbour, who, on examination, and seeing the certificate of Mr. Peters, who had aided me in measuring my route, and in calculations upon what the Secretary of War had made *the basis of his contract with me*, allowed it.

The public are prepared, I have no doubt, to suppose, that the objections of the Second Comptroller, on evidence so conclusive, now vanished. But not so. It is true he directed the Second Auditor, at this stage of the progress of this affair, to settle my account on the first allowance—waiving, now, *all former exceptions*, and even the vouchers, *Indian marks*, for the presents I had distributed among them—but directed at the same time, that a charge should be made, in the settlement, of \$660, alleged to be for double mileage. This was done by him, *with the knowledge of the existence of my corrected account!* In this form the Second Auditor was told—and he is my authority for it—he (Mr. Cutts,) would, on its being sent over to him, pass it. To this, as might be supposed, I objected; and told the Second Auditor, in answer, that if my account could not be passed under the "*usage*" which has governed in the settlement of *all other persons accounts*, and upon "*principles*" such as had *never* been departed from before—and I asked nothing more—I wished it not to be acted on at all.

This mode of settlement, however, as is manifest, was *the only one* which could sustain the 2d Comptroller in *the error* in which he had been led, I mean in regard to the question of mileage.—Had I accepted of such a settlement, besides depriving me of the difference on the one account between \$1,344, and \$660; which would reduce my allowance on that account to \$684, and cut off the claim on the other, and *corrected account*, of \$455, in which I clearly demonstrated that I had been untrue to my own interest in stating the first account; I should have admitted virtually, that the charge against me of having attempted to secure to myself double mileage was true. It was therefore due to justice, to myself, and to the Secretary of War, who had himself scanned the accounts, and who knew they were correct, and knowing this allowed it, that I should, little as I might be able to bear it, receive

nothing in preference to abiding by such decision ; at least until the Congress should assemble, and the matter be decided by it.

Mr. Cutts cannot now pass the account as corrected, in my favor, and as allowed by the Secretary of War, nor the first account for \$ 1,344, without admitting that he had *erred*, and to do this, would be to require, if not the exertion of moral courage, at least the exercise of magnanimity—every man is not gifted with the first, and few put in requisition the last.

One thing more, which, in the haste of preparing this statement, I have omitted. Reference has been made to my salary, and for the purpose of censuring my employment by the head of the War Department, on extra duty, because the pay for this extra duty would increase my annual compensation. This exception is taken in the face of a “usage,” which is as old as the Government, and the cry has been raised that I, with such a salary, have “been sent about the country in all directions, at the most enormous expense, &c.”—just as if the same expense would not have been incurred in the execution of the same trusts, even though somebody else, and not I, had been employed upon them.

To meet this reference to my salary, and shew in what light it is viewed, as to its adequacy to compensate for services rendered for it, by one who has some right to know, I beg leave to submit the following extract of a letter addressed to me by Mr. Calhoun :

“No one better knows than myself how inadequate your salary is, as a compensation for [the] various services and important public duties of your office. *There is no branch of business in the War Department which requires more minute and laborious attention, or to which greater responsibility is attached.* I would rejoice to see your compensation placed on a more respectable footing ”

I hope to be excused for having trespassed so long on the Public's attention. But esteeming the character of every American Citizen to be the common property of the Nation. I have felt the more free, in this vindication of mine from the attempts which have been made to destroy it, and with it the hopes, and I may add, the support of myself and family.

To those who devote their time to such employment, I have nothing to say, except to wish them a more honourable calling, than that which seeks to wound private feelings, and degrade the standing of the Republic by traducing and vilifying its citizens.

THO. L. McKENNEY.

July 18, 1828.

